

JOURNAL OF THE PROCEEDINGS OF THE BOARD OF COMMISSIONERS OF COOK COUNTY



“While the Cook County Board of Commissioners makes every attempt to keep the record of its proceedings up to date with current law and policies, the Board does not guarantee the accuracy, legality, reliability or content of any of the information contained herein in journals prior to December 6, 2010, and that the information is provided as submitted to the Cook County Clerk”.

**DAVID ORR
COUNTY CLERK**

**JOURNAL OF THE PROCEEDINGS
OF THE
BOARD OF COMMISSIONERS
OF COOK COUNTY**

**NOVEMBER 17, 2009
(10:30 A.M. Special Meeting)**



TODD H. STROGER, PRESIDENT

**WILLIAM M. BEAVERS
JERRY BUTLER
FORREST CLAYPOOL
EARLEAN COLLINS
JOHN P. DALEY
BRIDGET GAINER
ELIZABETH "LIZ" DOODY GORMAN
GREGG GOSLIN
JOSEPH MARIO MORENO**

**JOAN PATRICIA MURPHY
ANTHONY J. PERAICA
EDWIN REYES
TIMOTHY O. SCHNEIDER
PETER N. SILVESTRI
DEBORAH SIMS
ROBERT B. STEELE
LARRY SUFFREDIN**

**DAVID ORR
COUNTY CLERK**

TABLE OF CONTENTS FOR NOVEMBER 17, 2009

Call of Meeting	3349
Call to Order	3351
Board of Commissioners of Cook County	
COMMISSIONERS	
Ordinance Amendments:	
09-O-75 An Amendment to the Cook County Code, Chapter 74 Taxation, Article IV, Sections 74-150 through 74-152 (Home Rule County Retailer's Occupation Tax).....	3354
09-O-76 An Amendment to the Cook County Code, Chapter 74 Taxation, Article V, Sections 74-190 through 74-192 (Home Rule County Service Occupation Tax).....	3355
Adjournment	3356

JOURNAL OF THE PROCEEDINGS

OF THE

BOARD OF COMMISSIONERS

OF COOK COUNTY

Special Meeting of Tuesday, November 17, 2009

10:30 A.M.

Central Standard Time

COOK COUNTY BOARD ROOM, COUNTY BUILDING

Board met pursuant to the following call:

Thursday, November 13, 2009

The Honorable David Orr
Cook County Clerk
69 West Washington Street
Chicago, Illinois 60602

Dear Clerk Orr:

Pursuant to Sec. 2-108(a)(4) of the Cook County Code, Ten Members of the Board of Commissioners of Cook County have directed me to cancel the Special Meeting of the Board of Commissioners of Cook County scheduled for Monday, November 16, 2009 at 10:00 A.M. A new meeting has been called for Tuesday, November 17, 2009, at the hour of 10:30 A.M., in the County Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois, to consider Proposed Ordinance Amendments to reduce the Cook County Home Rule County Retailers' Occupation Tax and the Cook County Home Rule County Service Occupation Tax.

Sincerely yours,

FORREST CLAYPOOL, JOHN P. DALEY, BRIDGET GAINER, GREGG GOSLIN
ELIZABETH "LIZ" DOODY GORMAN, EDWIN REYES, TIMOTHY O. SCHNEIDER,
PETER N. SILVESTRI, ROBERT B. STEELE and LARRY SUFFREDIN, County Commissioners

COPY OF LETTER SENT TO ALL COMMISSIONERS

November 13, 2009

Honorable President and Members
Cook County Board of Commissioners

Ladies and Gentlemen:

Pursuant to Sec. 2-108(a)(4) of the Cook County Code, Ten Members of the Board of Commissioners of Cook County have directed me to cancel the Special Meeting of the Board of Commissioners of Cook County scheduled for Monday, November 16, 2009 at 10:00 A.M. A new meeting has been called for Tuesday, November 17, 2009, at the hour of 10:30 A.M., in the County Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois, to consider Proposed Ordinance Amendments to reduce the Cook County Home Rule County Retailers' Occupation Tax and the Cook County Home Rule County Service Occupation Tax.

Very truly yours,

DAVID ORR, County Clerk

* * * * *

This is to certify that a copy of the above notice was hand delivered and personally addressed to each Member of the Board of Cook County Commissioners at their home address and was deposited in the United States Mail on November 13, 2009.

DAVID ORR, County Clerk

* * * * *

The Following Legal Notice appeared in the Chicago Sun-Times newspaper on Tuesday, November 17, 2009.

LEGAL NOTICE

Pursuant to Sec. 2-108(a)(4) of the Cook County Code, Ten Members of the Board of Commissioners of Cook County have directed me to cancel the Special Meeting of the Board of Commissioners of Cook County scheduled for Monday, November 16, 2009 at 10:00 A.M. A new meeting has been called for Tuesday, November 17, 2009, at the hour of 10:30 A.M., in the County Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois, to consider Proposed Ordinance Amendments to reduce the Cook County Home Rule County Retailers' Occupation Tax and the Cook County Home Rule County Service Occupation Tax.

Very truly yours,

DAVID ORR, Cook County Clerk and
Clerk of the Board of the Commissioners of Cook County, Illinois

November 17, 2009

OFFICIAL RECORD

President Stroger in the Chair.

CALL TO ORDER

At 10:30 A.M., being the hour appointed for the meeting, the President called the Board to order.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ROLL CALL

Present: President Stroger and Commissioners Beavers, Butler, Claypool, Collins, Daley, Gainer, Gorman, Goslin, Moreno, Murphy, Peraica, Reyes, Schneider, Silvestri, Sims, Steele and Suffredin - 17.

Absent: None.

ORDINANCE AMENDMENTS

Submitting a Proposed Ordinance Amendment sponsored by

FORREST CLAYPOOL, JOHN P. DALEY, BRIDGET GAINER,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY,
ANTHONY J. PERAICA, EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI,
ROBERT B. STEELE and LARRY SUFFREDIN, County Commissioners

PROPOSED ORDINANCE AMENDMENT

HOME RULE COUNTY RETAILERS' OCCUPATION TAX

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article IV, Sections 74-150 through 74-152, of the Cook County Code are hereby amended as follows:

ARTICLE IV. RETAILERS' OCCUPATION TAX.

Sec. 74-150. Short title.

This article shall be known and may be cited as the Cook County Home Rule County Retail Occupation Tax Ordinance.

Sec. 74-151. Imposed.

As authorized by 55 ILCS 5/5-1006 (home rule county retailers' occupation tax law), a tax is imposed Countywide upon all persons in the County engaged in the business of selling tangible personal property at retail, at the rate of one and three-quarters percent (1.75%) through June 30, 2010, and one and one-quarter percent (1.25%) thereafter of the gross receipts from such sales made in the course of such business. The tax shall be paid in the manner provided in such statute.

Sec. 74-152. Notification of the Illinois Department of Revenue.

The Clerk of the Board is hereby authorized and directed to obtain and transmit a certified copy of this Ordinance to the Illinois Department of Revenue not later than five days after its effective date, and in no case later than April 1, ~~2008~~ 2010 so as to enable the Illinois Department of Revenue to proceed to administer and enforce this Ordinance, on behalf of the County of Cook, as of July 1, ~~2008~~ 2010.

Effective date: This Ordinance shall take effect upon passage, except that the rate decreases in Section 74-151 shall not take effect until July 1, 2010.

Commissioner Suffredin, seconded by Commissioner Peraica, moved that the Proposed Ordinance Amendments (the Home Rule County Retailers' Occupation Tax and the Home Rule Service Occupation Tax) be approved and adopted.

Following discussion, Commissioner Schneider, seconded by Commissioner Gorman, moved to accept Commissioner Schneider's Substitute Ordinance Amendments (which reduces the tax from 1.75% to .75%). Commissioner Beavers called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON THE MOTION TO ACCEPT
THE PROPOSED SUBSTITUTE ORDINANCE AMENDMENTS**

Yeas: Commissioners Claypool, Gorman, Goslin, Peraica, Schneider and Silvestri - 6

Nays: Commissioners Beavers, Butler, Collins, Daley, Gainer Murphy, Reyes, Sims, Steele and Suffredin - 10.

Absent: Commissioner Moreno - 1.

The motion to accept FAILED.

Commissioner Peraica moved to accept the Proposed Substitute Ordinance Amendments for which he is the sponsor. **The motion died for lack of a second.**

Commissioner Butler asked to divide the question to consider the two Ordinance Amendments separately.

Commissioner Suffredin, seconded by Commissioner Peraica, moved that the Proposed Ordinance Amendment (Home Rule County Retailers' Occupation Tax) be approved and adopted. Commissioner Beavers called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON THE MOTION TO APPROVE AND ADOPT
THE PROPOSED ORDINANCE AMENDMENT**

Yeas: Commissioners Claypool, Collins, Daley, Gainer, Gorman, Goslin, Peraica, Reyes, Schneider, Silvestri, Steele and Suffredin - 12.

Nays: Commissioners Beavers, Butler, Moreno, Murphy and Sims - 5.

The motion to approve CARRIED and the Ordinance Amendment was APPROVED AND ADOPTED.

Commissioner Suffredin, seconded by Commissioner Peraica, moved that the Proposed Ordinance Amendment (Home Rule County Service Occupation Tax) be approved and adopted. Commissioner Beavers called for a Roll Call, the vote of yeas and nays being as follows:

**ROLL CALL ON THE MOTION TO APPROVE AND ADOPT
THE PROPOSED ORDINANCE AMENDMENT**

Yeas: Commissioners Claypool, Collins, Daley, Gainer, Gorman, Goslin, Peraica, Reyes, Schneider, Silvestri, Steele and Suffredin - 12.

Nays: Commissioners Beavers, Butler, Moreno, Murphy and Sims - 5

The motion to approve CARRIED and the Ordinance Amendment was APPROVED AND ADOPTED.

Commissioner Silvestri, seconded by Commissioner Peraica, moved to reconsider the vote by which the Substitute Ordinance Amendments (the Home Rule County Retailers' Occupation Tax and the Home Rule Service Occupation Tax) were approved and adopted. Commissioner Suffredin called for a Roll Call, the vote of yeas and nays being as follows:

ROLL CALL ON THE MOTION TO RECONSIDER

Yeas: Commissioners Beavers, Butler, Moreno, Murphy and Sims - 5

Nays: Commissioners Claypool, Collins, Daley, Gainer, Gorman, Goslin, Peraica, Reyes, Schneider, Silvestri, Steele and Suffredin - 12.

The motion to reconsider FAILED and the Ordinance Amendments were APPROVED AND ADOPTED.

**09-O-75
ORDINANCE**

Sponsored by

**THE HONORABLE FORREST CLAYPOOL, JOHN P. DALEY, BRIDGET GAINER,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY,
ANTHONY J. PERAICA, EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI,
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

HOME RULE COUNTY RETAILERS' OCCUPATION TAX

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article IV, Sections 74-150 through 74-152, of the Cook County Code are hereby amended as follows:

ARTICLE IV. RETAILERS' OCCUPATION TAX.

Sec. 74-150. Short title.

This article shall be known and may be cited as the Cook County Home Rule County Retail Occupation Tax Ordinance.

Sec. 74-151. Imposed.

As authorized by 55 ILCS 5/5-1006 (home rule county retailers' occupation tax law), a tax is imposed Countywide upon all persons in the County engaged in the business of selling tangible personal property at retail, at the rate of one and three-quarters percent (1.75%) through June 30, 2010, and one and one-quarter percent (1.25%) thereafter of the gross receipts from such sales made in the course of such business. The tax shall be paid in the manner provided in such statute.

Sec. 74-152. Notification of the Illinois Department of Revenue.

The Clerk of the Board is hereby authorized and directed to obtain and transmit a certified copy of this Ordinance to the Illinois Department of Revenue not later than five days after its effective date, and in no case later than April 1, ~~2008~~ 2010 so as to enable the Illinois Department of Revenue to proceed to administer and enforce this Ordinance, on behalf of the County of Cook, as of July 1, ~~2008~~ 2010.

Effective date: This Ordinance shall take effect upon passage, except that the rate decreases in Section 74-151 shall not take effect until July 1, 2010.

Approved and adopted this 17th day of November 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

* * * * *

**09-O-76
ORDINANCE**

Sponsored by

**THE HONORABLE FORREST CLAYPOOL, JOHN P. DALEY, BRIDGET GAINER,
ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN, JOAN PATRICIA MURPHY,
ANTHONY J. PERAICA, EDWIN REYES, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI,
ROBERT B. STEELE AND LARRY SUFFREDIN, COUNTY COMMISSIONERS**

HOME RULE COUNTY SERVICE OCCUPATION TAX

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 74 Taxation, Article V, Sections 74-190 through 74-192, of the Cook County Code are hereby amended as follows:

ARTICLE V. SERVICE OCCUPATION TAX.

Sec. 74-190. Short title.

This article shall be known and may be cited as the Cook County Home Rule County Service Occupation Tax Ordinance.

Sec. 74-191. Imposed.

As authorized by 55 ILCS 5/5-1007 (home rule county service occupation tax law), a tax is imposed Countywide upon all persons in the County engaged in the business of making sales of service at the rate of one and three-quarters percent (1.75%) through June 30, 2010, and one and one-quarter percent (1.25%) thereafter of the selling price of all tangible personal property transferred by such serviceperson either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be paid in the manner provided in such statute.

Sec. 74-192. Notification of the Illinois Department of Revenue.

The Clerk of the Board is hereby authorized and directed to obtain and transmit a certified copy of this Ordinance to the Illinois Department of Revenue not later than five days after its effective date, and in no case later than April 1, ~~2008~~ 2010 so as to enable the Illinois Department of Revenue to proceed to administer and enforce this Ordinance, on behalf of the County of Cook, as of July 1, ~~2008~~ 2010.

Effective date: This Ordinance shall take effect upon passage, except that the rate decreases in Section 74-191 shall not take effect until July 1, 2010.

Approved and adopted this 17th day of November 2009.

TODD H. STROGER, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

ADJOURNMENT

Commissioner Silvestri, seconded by Commissioner Daley, moved that the Special Meeting do now adjourn.

The motion prevailed and the Special Meeting stood adjourned.

* * * * *

The next Regular County Board Meeting is scheduled by law, for Wednesday, November 18, 2009 at 10:00 A.M.

County Clerk